



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

December 16, 2002

Mr. George Zambelli Sr., President
Zambelli Fireworks Manufacturing Company
Aka Zambelli Fireworks Internationale
27 East Maitland Lane
New Castle, PA 61605

DIRECTIVE TO SUBMIT A WORK PLAN AND CONDUCT A SOIL AND GROUNDWATER INVESTIGATION IN THE VICINITY OF THE FORMER ZAMBELLI FIREWORKS STORAGE BUNKER, 2170 WEST STONEHURST, CITY OF RIALTO, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. Zambelli:

As our staff has informed you by telephone, perchlorate has been detected in municipal water supply wells in the Rialto, Colton and Chino Groundwater Subbasins. These water supply wells are located downgradient of the former storage bunker that was used by Zambelli Fireworks Manufacturing, also known as Zambelli Fireworks Internationale (hereinafter Zambelli) from 1982 (and possibly earlier) until 1991. Information that local businesses provided to us in response to subpoenas indicates that Zambelli and several other pyrotechnic companies used and stored products containing perchlorate salts in the former bunkers. This letter sets forth a requirement under California Water Code Section 13267 that Zambelli conduct an investigation to define the lateral and vertical extent of contaminants, principally perchlorate, in soil and groundwater in the vicinity of the former bunker area in North Rialto. As required by that provision, this letter contains an explanation of the need for the investigation, and cites evidence supporting the requirement.

Background

Perchlorate contamination was first detected in groundwater in the Rialto, Colton and Chino Subbasins in 1997. At that time, the California Department of Health Services (DHS) Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells had perchlorate levels exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto, Colton and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb. Between 1997 and the present, various suspected perchlorate dischargers, including Zambelli, have been identified.

Requirement for an Investigation

The Regional Board has directed staff to issue individual letters under California Water Code Section 13267 to suspected perchlorate dischargers. The Board also expressed a strong desire

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that suspected perchlorate dischargers work with the local water purveyors to provide a supply of replacement water during the loss or limited use of their production wells.

The Need for the Investigation

The Santa Ana Regional Water Quality Control Board is charged with the protection of water quality in this Region. We have been working actively with the water purveyors for several years to identify the extent and address the impact of perchlorate contamination on water resources in the Rialto, Colton and Chino Groundwater Subbasins. The water purveyors whose wells have been contaminated with perchlorate now face a state of emergency, and may not be able to provide an adequate water supply to their customers. It is urgent that the sources of the contamination be identified, and the magnitude of the perchlorate plume defined.

Evidence Supporting the Need for the Investigation

Enclosed are the following documents:

1. Enclosure 1 – Well Location Map, showing perchlorate contamination in municipal water supply wells.
2. Enclosure 2 – Minutes from a November 12, 1987 meeting held by the Rialto Fire Department, in which the owners, contents, and usage of the former storage bunkers that were located North Rialto are described (document obtained from American Promotional Events, Inc. - West in response to subpoena).
3. Enclosure 3 – Notification letters and permitting requirements from the City of Rialto Fire Department to Zambelli Fireworks Manufacturing Co., dated June 28 and October 21, 1988.
4. Enclosure 4 – Plot Plan showing the former configuration of the storage bunkers, and list of tenants and lessors using the bunkers.

The evidence indicates that from the early 1980s to 1991, the Zambelli family handled, stored, or manufactured fireworks at the Rialto site. In addition, City of Rialto records indicate that on-site disposal systems have been used at the site since it was first occupied for industrial use. Perchlorate has been detected in groundwater downgradient of the former bunker occupied by Zambelli. Based on the evidence, Zambelli is suspected of having discharged perchlorate waste that has adversely affected water quality. This evidence supports the requirement for an investigation, as defined in Section 13267(b)(1) of the California Water Code.

Deadlines

1. A detailed description of Zambelli's historical activities at the former bunker site, and a work plan for soil and groundwater investigation for perchlorate in the vicinity of the former storage bunker used by Zambelli, must be submitted to Board staff by January 31, 2003. A proposed time schedule for completion of each task in the investigation must be included in the work plan. The work plan will be subject to my approval.
2. The investigation must commence within 30 days of approval.
3. All analytical results, groundwater measurements, and field information are to be submitted by fax to Board staff within 24 hours of being generated, throughout all stages of work, and during all phases of the investigation. The office fax number to be used for your data transmittals is (909) 781-6288.



4. The final report for this soil and groundwater investigation, including (at a minimum) the borehole logs, well construction details, groundwater elevation data, and soil and groundwater analytical results, must be submitted to Board staff within 30 days of completing the field work.

Failure to submit the required information by the specified deadline will subject you to administrative civil liability in the amount of up to \$1,000 per day pursuant to Section 13268(a) and (b) of the California Water Code.

Finally, please be aware that the Board has directed staff to explore alternative ways of solving the water supply problem in the Rialto, Colton and Chino Groundwater Subbasins. In addition, consistent with the Board's direction, we will be issuing similar directives to a number of other suspected dischargers who have operated in the North Rialto area. Thus, there may be opportunities to cooperate with other entities to implement joint investigations or to propose solutions that would address the water supply problem. In fact, we believe it would be both scientifically effective and economically efficient for the suspected dischargers subject to these directives to jointly pursue the investigation and to explore water supply replacement options. Further, consistent with the Board's direction, we recommend that the joint efforts of the suspected dischargers consider both the characterization of the plume and initiation of water supply replacement or treatment strategies. Board staff has experience in managing similar joint investigations and cooperative solutions and we are available to discuss these further with you. If you are interested in discussing alternative options for complying with this directive, please contact us to arrange a meeting.

If you have any questions about this letter, please contact Kamron Saremi at (909) 782-4303, or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,

Gerard J. Thibeault
Executive Officer

Enclosures:

1. Well Location Map, showing perchlorate contamination in municipal water supply wells.
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3. Notification letters and permitting requirements from the City of Rialto Fire Department to Zambelli Fireworks Manufacturing Co., dated June 28 and October 21, 1988.
4. Plot Plan showing the former configuration of the storage bunkers, and list of tenants and lessors using the bunkers.
5. Mailing List.

cc w/out enclosures:

Regional Board

Jorge Leon, Office of Chief Counsel, SWRCB

Aaron Yue, DTSC, Cypress Office

Inland Empire Perchlorate Regulatory Task Force (mailing list attached)

Scott Goulart, Aerojet - a subsidiary of GenCorp, Sacramento, California

Ken Miller, County of San Bernardino Department of Public Works

Dan Coyle - Downey Brand Seymour & Rohwer, LLP, representing American
Promotional Events, Inc. – West

Peter Duchesneau - Manatt, Phelps & Philips, representing Goodrich Corporation

Charles Whisonant, representing Denova Environmental

Allen Curlee, Office of the District Counsel, U.S. Army Corps of Engineers, Sacramento

Robert Wyatt - Allen, Matkins, Leck, Gamble & Mallory, LLP, representing Emhart/Black and
Decker

Jim Good - Gresham, Savage, Nolan & Tilden, LLP, representing Pyro Spectaculars, Inc.

AES/Data/SLIC/Rialto perchlorate 01-02/13267/zambelli

